

REMARKS

Claims 1-39 are the claims currently pending in the Application.

Independent claims 1, 16 and 36 have been amended to clarify features recited thereby.

The Drawings were objected to as containing an arrow "C" in Figure 12 not described in the Specification. However, the objection also states that the Specification on Page 11, line 3 discusses arrow C with reference to Figure 12 (Office Action, page 2). On November 10, 2005, Applicant's representative telephoned the Examiner to clarify this issue. The Examiner acknowledged that arrow C of Figure 12 is shown as being between projector 160 and mirror 182 and is described on Page 11, line 3 of the Specification, and stated that the objection should be ignored.

Rejection of Claims 1-6, 8, 10-21, 23, 25-31, 34 and 36-39

Claims 1-6, 8, 10-21, 23, 25-31, 34 and 36-39 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kaye, U.S. Patent No. 3, 801,199. The present claimed invention is believed to be allowable. The prior art, either when individually considered or even if combined together, neither teaches nor suggests the same. Reconsideration on the merits is requested. In the absence of uncovering of non-cumulative prior art, the application should be favorably acted on. A Notice of Allowance is believed warranted.

For at least the following reasons, Applicant's claimed invention is neither anticipated by nor obvious from the cited references. By way of example, independent claims 1,

16 and 36 all require a writing plane adapted to hold a sheet of paper. This allows for the device to function as intended, for example, as an artistic toy for a child.

Kaye discloses an image projection system with a filmstrip cassette or cartridge, such that an image from the film in the cassette is projected onto a rear projection screen 22. Kaye does not disclose or suggest a toy easel apparatus directed to creating art by use of tracing paper, let alone a portable easel used for tracing of figures, as *inter alia* required by independent claims 1, 16 and 36. Accordingly, Kaye does not disclose or suggest a writing plane, as further required by independent claims 1, 16 and 36.

Further, Kaye does not disclose or suggest a writing plane provided with holding means (for example, paper holding clips) adapted to hold a sheet of tracing paper, as further required by independent claims 1, 16 and 36. That is, Kaye does not disclose or suggest that a tracing medium, such as a piece of paper, is affixed to, held by, or associated with the writing plane. Accordingly, Kaye does not disclose or suggest the invention of independent claims 1, 16 and 36.

Claims 2-6, 8 and 10-15 depend from independent claim 1; claims 17-21, 23, 25-31 and 34 depend from independent claim 16; and claims 37-39 depend from independent claim 36. Therefore, claims 2-6, 8, 10-15, 17-21, 23, 25-31, 34 and 37-39 incorporate novel and nonobvious features of their respective base claims and are patentably distinguishable over the prior art for at least the reasons that their respective base claims are patentably distinguishable over the prior art. Accordingly, this rejection should also be withdrawn.

Rejection of Claims 7 and 22

Claims 7 and 22 were rejected under 35 U.S.C. § 103 as being obvious from Kaye in view of Behr, U.S. Patent No. 4,170,408. This rejection should be withdrawn.

Claims 7 and 22 depend from independent claims 1 and 16, respectively, and thus incorporate novel and nonobvious features thereof. Behr does not cure the deficiencies of Kaye as they relate to Applicant's invention as claimed in independent claims 1 and 16. For example, Behr does not disclose or suggest a writing plane adapted to hold tracing paper as *inter alia*, required by independent claims 1 and 16, and the Examiner does not allege that Behr does so.

Therefore, claims 7 and 22 are patentably distinguishable over the prior art for at least the reasons that their respective base claims are patentably distinguishable over the prior art. Accordingly, this rejection should now be withdrawn.

Rejection of Claims 32 and 33

Claims 32 and 33 are rejected under 35 U.S.C. § 103 as being obvious from Kaye in view of Schindler, U.S. Patent No. 1,992,776. This rejection is also traversed and should be withdrawn.

Claims 32 and 33 depend from independent claim 16, and thus incorporate novel and nonobvious features thereof. Schindler does not cure the deficiencies of Kaye as they relate to Applicant's invention as claimed in independent claim 16. Therefore, claims 32 and 33 are patentably distinguishable over the prior art for at least the reasons that their respective base claims are patentably distinguishable over the prior art. Accordingly, this rejection should now be withdrawn.

Rejection of Claim 35

Claim 35 is rejected under 35 U.S.C. § 103 as being obvious from Kaye in view of the Dietterich et al., U.S. Patent No. 5, 284,445. This rejection is also traversed.

Claim 35 depends from independent claim 16, and thus incorporates novel and nonobvious features thereof. Dietterich does not cure the deficiencies of Kaye as they relate to Applicant's invention as claimed in independent claim 16. Therefore, claim 35 is patentably distinguishable over the prior art for at least the reasons that its respective base claim is patentably distinguishable over the prior art. Accordingly, this rejection should now be withdrawn.

In view of the foregoing discussion and the merits of the disclosed invention as claimed, reconsideration of the Application is respectfully requested. In the absence of the Examiner's finding of additional relevant prior art, the present invention, as claimed, is believed to be patentable, and therefore it is respectfully requested that the Examiner allow the Application. Prompt and favorable action is earnestly solicited and believed to be fully warranted.

Filed herewith is a Petition for a three-month extension of time with credit card payment transmittal.

The Commissioner is authorized and requested to charge Applicant's attorneys'

deposit account No. 02-2105 for any additional extension of time, additional claim fee, or other fee.

Respectfully submitted,



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